IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8564 of 1992

For Approval and Signature:

Hon'ble MR.JUSTICE K.M.MEHTA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

GAJRABEN R GAMIT

Versus

DISTRICT EDUCATION OFFICER

Appearance:

MR KB PUJARA for Petitioner

NOTICE SERVED for Respondent No. 1

MR VH DESAI for Respondent No. 6

CORAM : MR.JUSTICE K.M.MEHTA

Date of decision: 06/10/2000

ORAL JUDGEMENT

1. Smt.Gajraben R. Gamit - petitioner has filed this petition wherein, she has challenged the order dated 18th April, 1992 passed by the District Education

Officer, Surat and also the order dated 12th November, 1992 passed by the Gujarat Secondary Education Tribunal in the petitioner's application No.256 of 1992, wherein the Tribunal was please to reject the interim order which has been passed by the District Education Officer.

2. The facts giving rise to this petition are as under :-

The petitioner was initially appointed as a Junior Clerk in Navsarjan High School, Jamkhadi, Tal.Songadh, Dist.Surat with effect from 01.09.1986. The said School was closed on 16.08.1991 and the petitioner was declared surplus, and by an order dated 25.09.1991 passed by the respondent no.1. The petitioner was ordered to be absorbed in Shri P. K. Patel and Shri Ganesh Vidhyalaya, the petitioner had accordingly joined that school on 27.09.1991 as confirmed and by the school to the District Education Officer by the letter dated 27.09.1991.

3. The District Education Officer has observed in its order dated 18th April 1992 that the petitioner to be absorbed in the respondent no. 5 School managed by the respondent no.4 (an order dated 23.4.1992 that the petitioner tobe relieved from the school).

4. Being aggrieved and dissatisfied by the aforesaid order passed by the District Education Officer and, therefore, petitioner approached before the Gujarat Secondary Education Tribunal and filed an application being Application No.256 of 1992.

5. Mr.K. B. Pujara, learrned counsel for the petitioner and Ms.Sanjal Sutaria for Mr.V. H. Desai, learned AGP for the respondent. She has stated that in this matter, the petitioner has challenged the interim order passed by the Tribunal on 12.11.1992 before this court.

6. Ms.Sanjal Sutaria for Mr.V. H. Desai, learned AGP for respondent has stated that the main matter before the tribunal the main proceedings in which the tribunal has passed an interim order has been withdrawn by the petitioner before the tribunal. In view of the same, this petition does not require adjudication and has become infructious. Mr.K.B. Pujara, learned counsel for the petitioner has no objection and in view of the same the following order is passed.

This petition stands disposed of as become

infructions. Interim relief granted earlier stands vacated.

(K. M. Mehta, J.)